

## **Summary Instructions for Writs of Garnishment**

### **For the Judgment Creditor (Plaintiff)**

1. Complete the Application for Writ of Garnishment form.
2. Complete the correct Writ of Garnishment form.
3. Complete the caption for the correct Answers to Interrogatories form.
4. Include the Notice of Garnishment and Exemptions form.
5. Complete the caption for the Reply and Request for Hearing form.
6. Attach a check to the court for \$35 for the filing fee.
7. File all forms and checks with the clerk of the court. [After the clerk signs and files a copy of the writ, the forms are returned to the plaintiff.]
8. Attach a check to the garnishee for \$10 for a single garnishment or \$25 for a continuing garnishment.
9. Attach a check to the sheriff or constable for the service fee.
10. Deliver the writ and accompanying documents to the sheriff or constable for service.
11. Attend any hearings that are scheduled.

### **For the Judgment Debtor (Defendant)**

1. Read the Notice of Garnishment and Exemptions form.
2. Determine whether you qualify for any exemptions.
3. If you want to claim an exemption, challenge the garnishee's answers to the interrogatories, challenge the issuance of the writ, or claim a set-off for a debt owed to you by the creditor, file and serve the Reply and Request for Hearing form.
4. Attend any hearings that are scheduled.

### **For the Garnishee (Holder of debtor's property, such as a bank or employer)**

1. Read the Writ of Garnishment and Instructions.
2. Complete the Answers to the Interrogatories form.
3. Employers, visit the Utah courts' web site at [www.utcourts.gov](http://www.utcourts.gov) to decide whether it is easier to complete the Answers to the Interrogatories on-line or in paper form. Follow the links to Resources/Court Forms/Garnishment Forms/Employer's Answers to Interrogatories.
4. Withhold from the defendant the property shown by your answers to be subject to garnishment.
5. File and serve your Answers to the Interrogatories and other forms as instructed on-line or in the Writ of Garnishment.
6. Withhold the property for 20 calendar days.
7. If you receive a Reply and Request for Hearing form, continue to withhold the property until instructed by the court.
8. If you do not receive a Reply and Request for Hearing form, deliver the property to the plaintiff or plaintiff's attorney or as otherwise instructed in the Writ of Garnishment.
9. You may attend any hearings that are scheduled.